

# THE WHITE HOUSE

WASHINGTON

July 19, 2000

## MEMORANDUM FOR DEPARTMENT AND AGENCY HEADS

FROM: BETH NOLAN  
COUNSEL TO THE PRESIDENT

SUBJECT: Attendance at Convention  
Receptions, Dinners and Similar Events

During the weeks of the national party conventions, federal employees may be invited to attend receptions, dinners and other similar events in celebration of the parties' nomination of their candidates for President. This memorandum provides guidance regarding federal employees' participation in such events. It specifically provides authorization for employees to accept free attendance at certain widely attended gatherings held during the upcoming political conventions. As always, I urge you and your employees to consult your General Counsel and ethics officials if you have questions about participating in specific events.

The Standards of Ethical Conduct for Executive Branch Employees (Standards) govern acceptance of gifts, which include gifts of free attendance at events such as dinners and receptions. See 5 C.F.R. § 2635, Subpart B. The Standards provide that federal employees may not, unless an exception applies, accept a gift offered by a prohibited source or because of an employee's official position.<sup>1</sup> On the other hand, federal employees may accept a gift if it is offered by an individual or organization that is not a prohibited source and the gift is not extended to them because of their official positions, or if one of the exceptions in the Standards applies.

### Exceptions include the following:

- A federal employee may accept gifts valued at or less than \$20, provided that the aggregate value of such gifts from the same source in any calendar year does not exceed \$50. Thus, federal employees may attend receptions, dinners and other events for which the value -- including meals, entertainment, etc. -- is \$20 or less.
- A federal employee may accept gifts given under circumstances that make it clear that the gift is motivated by a family relationship or personal friendship rather than the position of the employee.

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<sup>1</sup> Individuals or entities are prohibited sources if they seek official action from an employee's agency, do or seek to do business with the employee's agency, conduct activities regulated by the employee's agency, have interests that may be substantially affected by the employee's official duties, or are organizations the majority of whose members meet any of the above-described criteria.

- A federal employee may accept a gift of free attendance at certain widely attended gatherings, if an agency determines in advance that the employee's attendance at the event is in the agency's interest because it will further the agency's programs and operations.
- A federal employee who otherwise may participate in political activity under the Hatch Act Reform Amendments may accept free attendance, meals and entertainment at receptions, dinners and other events when they are provided by a political organization in connection with such active participation. Thus, federal employees may attend events at the national conventions that are sponsored by political organizations when the gift of attendance is offered by a political organization (e.g., national party committees, congressional or senatorial campaign committees, presidential campaign committees, political action committees, etc). If you have any questions about whether an entity is defined as a political organization, please contact your General Counsel or agency ethics official.

During the national conventions, non-partisan organizations, including advocacy groups, non-profits, unions, private businesses, corporations, and other entities, also may host receptions, dinners or other events and may offer federal employees gifts of free attendance at such events. The Standards generally prohibit federal employees from accepting gifts of free attendance at these events unless they are widely attended and the agency decides that an employee's attendance is in its interests. The President has determined that with respect to attendance at such events during national conventions, the prohibition will not be enforced if:

1. the gift of free attendance is unsolicited;
2. the event is widely attended (i.e., 200 or more individuals are invited from a range of persons); and,
3. the event is hosted in connection with a convention for the nomination of a presidential candidate.

If these criteria are met, a federal employee may accept refreshments, meals and entertainment (but not travel expenses to the Convention, entertainment collateral to the event, or meals taken other than in a group setting with all the other attendees) with no further authorization required.

There are a few other exceptions in the Standards that might permit a federal employee to accept gifts of meals and entertainment from a prohibited source or offered because of his or her official position even if the events do not meet the above criteria. In general, however, the exceptions are quite limited. Federal employees should therefore seek guidance from their ethics officials before attending any receptions, dinners or other events that do not meet the criteria set forth above.

**If you have questions concerning this guidance, please call Dawn Chirwa or Mary Smith in my office at 456-7903.**

cc: General Counsels  
Agency Ethics Officials